



October 27, 2016

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: Ex Parte Presentation, Process Reform for Executive Branch Review of
Certain FCC Applications and Petitions Involving Foreign Ownership,
IB Docket No. 16-155

Dear Ms. Dortch,

On October 25, 2016, Josh Roland of T-Mobile USA, Inc., Ian Dillner of Verizon, Gardner Foster of Sprint Corporation (via telephone), Jennifer Kostyu of Wilkinson Barker Knauer, LLP on behalf of CTIA (via telephone), and the undersigned met with International Bureau representatives Troy Tanner, Kathleen Collins, David Krech, Denise Coca, Sumita Mukhoty, and Arthur Lechtman to discuss the Commission's proposals to streamline and improve the Executive Branch review process.

CTIA discussed how Executive Branch review of foreign ownership issues raised in certain applications and petitions ("applications") should be more efficient, predictable, and transparent. Specifically, we emphasized the widespread support for a definitive timeframe for Executive Branch review of applications. The 90-day review period with an additional 90 days in exceptional cases as proposed in the *Notice* is reasonable and would provide clarity and certainty to all interested stakeholders, including applicants, the Commission, and the Executive Branch.

In addition, we agreed with the Commission and the Executive Branch that a standardized, publicly available questionnaire would help facilitate the review process. We noted, however, that the sample questions set forth in Appendix D of the *Notice* contain requests that are not included in the initial questionnaires that the Executive Branch distributes to applicants today, and those sample questions may not reflect all



of the questions typically contained in today's questionnaires. The standardized questionnaire should be subject to notice and comment to ensure the specific questions are within the scope of the Executive Branch's review of national security, law enforcement, foreign policy, and trade policy issues.

We also discussed whether applicants' initial questionnaire responses should be submitted to the FCC or the Executive Branch, and which agencies would be responsible for reviewing them for completeness. We expressed concern that filing the responses with the FCC may unnecessarily lengthen the review process and overly burden Commission staff and resources, neither of which would improve the FCC or Executive Branch review processes.

Additionally, we discussed the scope of the certifications proposed by the Executive Branch, and noted that as currently written they raise significant concerns as they appear to impose new burdens and requirements on all applicants (not just those with foreign ownership interests) that go beyond existing laws.

We also noted that certain types of applications – such as *pro forma* transactions and transactions where there have been no material changes in an applicant's ownership or circumstances since it last underwent the Executive Branch review process – should be excluded from the Executive Branch review process. Doing so would help ensure that action on these applications is not unnecessarily delayed and that the Executive Branch's resources are not spent unnecessarily on applications that do not raise national security, law enforcement, foreign policy, or trade policy concerns.

Pursuant to Section 1.1206 of the Commission's rules, a copy of this letter is being filed in ECFS and provided to the Commission participants. Please do not hesitate to contact the undersigned with any questions.

Sincerely,

/s/ Maria L. Kirby

Maria L. Kirby
AVP, Regulatory Affairs &
Assoc. General Counsel



cc: Troy Tanner
Kathleen Collins
David Krech
Denise Coca
Sumita Mukhoty
Arthur Lechtman